



Pediatric Dentistry, P.A.

Stephen C. Mills, D.D.S.
Michael J. McCoy, D.M.D.
Pediatric Dentists
300 Technology Way
Scarborough, Maine 04074
207-883-4203

RECEIVED

JUL 19 2007

Department of Professional
& Financial Regulation

FAX

207-883-9068

To: MELISSA

From: LORETTA

Fax#: 624-8595

Date: MILLS
7/19/07

Re: SUNRISE REVIEW
SURVEY: ORAL HEALTH
ISSUES

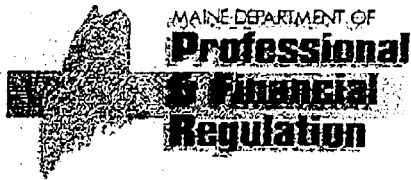
Pages: 7 including cover sheet

Comments:

WHAT FOLLOWS IS THE REQUESTED
PAPERWORK.

THANK-YOU

Loretta M. Mills



Sunrise Review: Request for Information from Interested Parties

**LD 1129 "Resolve, Directing the Commissioner of
Professional and Financial Regulation to Conduct a
Sunrise Review of Oral Health Care Issues"**

**Department of Professional and Financial Regulation
Office of the Commissioner
June 21, 2007**

Sunrise Review Survey: Oral Health Issues

Please return the completed survey to the Commissioner's Office by July 20, 2007. You may respond to any or all questions. The survey should be e-mailed to Doug Dunbar, Assistant to the Commissioner. The address is doug.dunbar@maine.gov. An electronic version of the survey is available by contacting the Commissioner's Office.

General Information

1. Group or organization you represent (if any):

I AM IN PRIVATE PRACTICE BUT I AM A MEMBER OF THE AMERICAN ACADEMY OF PEDIATRIC DENTISTRY AND THE MAINE SOCIETY OF PEDIATRIC DENTISTRY.

2. Position on proposed legislation. Does this group or organization support or

oppose: THESE QUESTIONS I WILL ANSWER AS AN INDIVIDUAL

• Expanding the scope of practice of dental hygienists by creating a mid-level dental hygienist license category (LD 1246): I OPPOSE THIS AS THERE IS NO ACCEPTED CURRICULUM OF TRAINING IN PLACE AND NO OBJECTIVE TESTING CRITERIA FOR LICENSURE ALSO, AS THESE PEOPLE ARE TO TREAT CHILDREN, I DON'T THINK THE DIFFICULTY OF

• Permitting dental hygienists to practice independently without supervision of a licensed dentist (LD 550): I OPPOSE THIS. IN MY EXPERIENCE HYGIENISTS ARE NOT TRAINED TO BE INDEPENDENT. TREATING CHILD WAS CONSIDERED

• Permitting dental graduates of foreign universities to become licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners (LD 1129): IN GENERAL I ACCEPT THIS IN LIGHT OF OUR ACCESS PROBLEM.

• Creating a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners (LD 1462):

I DON'T KNOW ENOUGH ABOUT DENTURISTS.

I DON'T HAVE A PROBLEM WITH HYGIENISTS REGULATING THEMSELVES BUT THEY CAN'T INDEPENDENTLY CREATE RULES FOR NEW

Evaluation Criteria (32 M.R.S.A. § 60-J) (HYGIENE DESIGNATIONS)

1. Data on group proposed for regulation. Please provide a description of the professional or occupational groups proposed for regulation, including:

(a) The number of individuals or business entities that would be subject to regulation;

I DON'T KNOW

(b) The names and addresses of associations, organizations and other groups representing potential licensees; and ?

* In this sunrise review, "mid-level dental hygienist" means a dental hygienist with an expanded scope of practice similar to the scope of practice proposed in LD 1246.

(c) An estimate of the number of potential licensees in each group.

?

2. **Specialized skill.** Please describe whether the proposed law changes in the areas of oral health care outlined below require such a specialized skill that the public is not qualified to select a competent individual or entity without assurances that minimum qualifications have been met:

- a mid-level dental hygienist license category (LD 1246): ABSOLUTELY THE PUBLIC IS NOT QUALIFIED TO SELECT SUCH A PERSON.

- dental hygienists practicing independently without supervision of a licensed dentist (LD 550): AGAIN ABSOLUTELY THIS CANNOT BE DECIDED BY ANYONE OTHER THAN A QUALIFIED DENTAL PROFESSIONAL.

- dental graduates of foreign universities becoming licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners (LD 1129): THIS IS TOO OBVIOUS. IT IS ONLY TO BE DONE BY A DENTAL PROFESSIONAL

3. **Threat to public health, safety, or welfare.** Please describe:

(a) The nature and extent of potential harm to the public, if any, if regulation of the practitioners listed below is not expanded:

- a mid-level dental hygienist: IF DENTAL CARE IS NOT AT THE HIGHEST LEVEL THE CHANCE FOR PERIOPERATIVE PROBLEMS ARE HIGH AND CHILDREN MAY SUFFER.

- dental hygienists practicing independently without supervision of a licensed dentist: POTENTIAL MISINFORMATION, LACK OF BACKGROUND INFORMATION AND NO BACK UP FOR TREATMENT NEEDS

- dental graduates of foreign universities licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners: IT IS POSSIBLE THAT EDUCATIONAL STANDARDS IN OTHER COUNTRIES DON'T COME TO U.S. LEVELS.

(b) The extent to which there is a threat to the public's health, safety or welfare (Please provide evidence of the potential harm, including: a description of any complaints filed with state law enforcement authorities, courts, departmental agencies, other professional or occupational boards and professional and occupational associations that have been lodged against dental hygienists or dental graduates of foreign universities in this State within the past 5 years).

I CANNOT GIVE A SPECIFIC EXAMPLE

4. **Voluntary and past regulatory efforts.** Please provide a description of the voluntary efforts made by dental hygienists or dental graduates of foreign universities to protect the

public through self-regulation, private certifications, membership in professional or occupational associations or academic credentials and a statement of why these efforts are inadequate to protect the public.

I CANNOT ANSWER THIS.

5. **Costs and benefits of regulation.** Please describe the extent to which regulation or expanded regulation of the occupations (or proposed occupations) listed below will increase the cost of services provided by those practitioners, and the overall cost-effectiveness and economic impact of the proposed regulation, including the indirect costs to consumers.

- a mid-level dental hygienist: THIS POSITION, IF UTILIZED IN A DENTIST'S OFFICE, COULD LESSON COSTS AND INCREASE PRODUCTIVITY. THE FUTURE FOR THIS POSITION COULD BE, SOMEDAY, VERY POSITIVE.
- dental hygienists practicing independently without supervision of a licensed dentist: COULD LESSON COSTS TO CONSUMERS.

- dental graduates of foreign universities licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners:

PROBABLY NO GREAT IMPACT

- a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners:

NO OPINION.

6. **Service availability under regulation.** Please describe the extent to which regulation or expanded regulation of the occupations (or proposed occupations) listed below would increase or decrease the availability of oral health services to the public.

- a mid-level dental hygienist: THIS WOULD INCREASE AVAILABILITY AT A FRIGHTENING DECREASE IN QUALITY

- dental hygienists practicing independently without supervision of a licensed dentist: INCREASE ACCESS FOR BASIC PREVENTIVE AND DIAGNOSTIC SERVICES ONLY

- dental graduates of foreign universities licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners:

COULD INCREASE ACCESS FOR ALL DENTAL SERVICES

- a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners (LD 1462):

NO IMPACT

7. **Existing laws and regulations.** Please discuss the extent to which existing legal remedies are inadequate to prevent or redress the kinds of harm potentially resulting from

non-regulation and whether regulation can be provided through an existing state agency or in conjunction with presently regulated practitioners.

I CANNOT ANSWER THIS

8. **Method of regulation.** Please describe why registration, certification, license to use the title, license to practice or another type of regulation is being proposed, why that regulatory alternative was chosen and whether the proposed method of regulation is appropriate.

I DON'T THINK IT IS.

9. **Other states.** Please provide a list of other states that regulate the profession, the type of regulation, copies of other states' laws and available evidence from those states of the effect of regulation on commercial leasing agents in terms of a before-and-after analysis.

ASK THE ME. DENT. ASSOC.

10. **Previous efforts to regulate.** Please provide the details of any previous efforts in *this State* to implement regulation or expand regulation of the occupations (or proposed occupations) listed below:

- a mid-level dental hygienist:
- dental hygienists practicing independently without supervision of a licensed dentist:
- dental graduates of foreign universities:
- a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners (LD 1462):

11. **Minimal competence.** Please describe whether the proposed requirements for regulation exceed the standards of minimal competence and what those standards are.

I AM NO EXPERT IN THIS BUT IT SEEMS THAT AS THIS IS A NEW DESIGNATION NO STANDARDS EXIST.

12. **Financial analysis.** Please describe the method proposed to finance the proposed regulation and financial data pertaining to whether the proposed regulation can be reasonably financed by current or proposed licensees through dedicated revenue mechanisms.

13. Mandated benefits. Please describe whether the profession or occupation plans to apply for mandated benefits.

Date: 18 JULY, 2007

Completed by:

STEPHEN C. MILLS DDS
Name:

Title: PEDIATRIC DENTIST

Mailing Address: 300 TECHNOLOGY WAY.
SEABOROUGH, ME
04074

E-mail address:

LMILLS5977@aol.com.

I AM SIMPLY A QUALIFIED SPECIALIST IN PEDIATRIC DENTISTRY, I AM NOT WELL VERSED IN THE PROCEDURAL, LEGISLATIVE, AND FINANCIAL QUESTIONS ASKED. I SIMPLY FEEL THAT THE NEW HYGIENIST DESIGNATION IS VERY PROMATURE AND AT PRESENT, ILL ADVISED. THE TREATMENT OF CHILDREN PROPERLY IS ONE OF THE MOST DIFFICULT THINGS TO DO WELL, TO SUBJECT THIS HELPLESS POPULATION TO QUESTIONABLE CARE IS THE HEIGHT OF IRRESPONSIBILITY.

WHEN AN ACCEPTED TRAINING PROGRAM WITH NATIONALLY ACCEPTED TESTING GUIDELINES EXIST, I WILL SUPPORT THE DESIGNATION, NOT TO PRACTICE INDEPENDENTLY BUT TO PARTNER WITH DENTISTS TO TREAT MORE CHILDREN.

Stephen C. Mills

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